

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:17-cv-2989-AT

DECLARATION OF RYAN GERMANY

Pursuant to 28 U.S.C. § 1746, I, RYAN GERMANY, make the following declaration:

1. I am over the age of 21 years, and I am under no legal disability which would prevent me from giving this declaration. If called to testify, I would testify under oath to these facts.

2. I currently am the General Counsel in the Office of the Georgia Secretary of State. I have held that position since January 2014. In my position, I have acquired firsthand knowledge of the business operations within the Secretary of State's Office.

3. Following the passage of House Bill 316, the Secretary of State was tasked with replacing the then current DRE voting systems with a new ballot

marking device (“BMD”) voting system. The Secretary of State engaged in a competitive bid process to select a vendor for the new BMD system.

4. On July 29, 2019, the Secretary of State issued a Notice of Intent to award a contract to the successful offeror of the competitive bid, Dominion Voting Systems, Inc. The contract was worth \$106,842,590.80, and was awarded to provide the new BMD voting system to Georgia. The contract required the complete implementation of the new voting system prior to March 24, 2020 and be fully operational and available for use in all subsequent primary and general elections.

5. Pursuant to that contract, the State of Georgia purchased 30,050 in the first year and immediately began helping Georgia’s implement the new voting system.

6. The BMD voting systems have been fully distributed and are currently in use in all counties in Georgia.

7. The BMD voting systems completely replaced the DRE voting systems that were previously used in Georgia, beginning with a special election held on January 28, 2020.

8. For ballots voted on a BMD, the voter makes their selection on the touchscreen, reviews a ballot summary on the screen, and then selects “print ballot.” Then the voter is able to review their selections on the printed paper

ballot (State Election Board Regulation 183-1-12-.11(8) requires the poll official stationed at the scanner to offer each voter specific verbal instruction to review their printed paper ballot prior to scanning it) prior to inserting the printed paper ballot into a precinct scanner which scans the QR code and deposits the ballot into a locked box.

9. For absentee ballots, voters mark ballots by hand. These hand-marked paper ballots are then scanned and tabulated using a “Central Count Scanner.”

10. Since the Secretary of State decertified the DREs on December 30, 2019, no elections in Georgia have been conducted using the DREs.

11. I am not aware of any intention by the State of Georgia to use DREs for any election in the future.

12. The State of Georgia’s ENET database maintains records demonstrating a voter’s voting history, including which elections they voted in and the method they chose to vote in those elections.

13. On July 2022, MITRE’s National Election Security Lab, retained by Dominion Voting Systems Corp., provided their findings of an independent expert technical review of the claims concerning the security of specific devices used in the conduct of elections in the State of Georgia. Attached as Exhibit 41

to the Statement of Undisputed Material Facts is a true and correct copy of MITRE's report.

14. Attached as Exhibit (18) to the Statement of Undisputed Material Facts is a true and correct copy of Donna Curling's ENET report as of October 12, 2021.

15. Attached as Exhibit (21) to the Statement of Undisputed Material Facts is a true and correct copy of Donna Price's ENET report as of October 12, 2021.

16. Attached as Exhibit (23) to the Statement of Undisputed Material Facts is a true and correct copy of Jeffrey Schoenberg's ENET report as of October 12, 2021.

17. Attached as Exhibit (24) to the Statement of Undisputed Material Facts is a true and correct copy of Jeffrey Schoenberg's Absentee Ballot ENET Report as of October 12, 2021.

18. Attached as Exhibit (29) to the Statement of Undisputed Material Facts is a true and correct copy of Laura Marie Digges's ENET report as of May 25, 2021.

19. Attached as Exhibit (32) to the Statement of Undisputed Material Facts is a true and correct copy of William Digges III's ENET report as of May 25, 2021.


20. Attached as Exhibit (34) to the Statement of Undisputed Material Facts is a true and correct copy of Ricardo Davis's ENET report as of May 25, 2021.

21. Attached as Exhibit (36) to the Statement of Undisputed Material Facts is a true and correct copy of Megan Missett's ENET report as of May 26, 2021.

[signature on following page]

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of January, 2023.



Ryan Germany